

***Consumer Enforcement of
Assistive Technology Device
Warranties Act
“Lemon Law”***

**A “Lemon Law” to Protect Consumers of
Assistive Technology Devices**

This act protects consumers of new assistive technology devices, which were purchased or leased in order to increase, improve or maintain the functional capability of an individual with disabilities. The protection provided under this Act, which is replacement of or refund for the defective equipment, is available if the device is a “lemon”.

A device will be considered a lemon if it has problems that reduce its use, value or safety and they still exist after:

- (1) the dealer or manufacturer tries to repair the same problem two times in the first two years; or
- (2) the device is out of service for more than a total of 30 days in the first year for any combination of problems.

This Act protects consumers of new assistive technology devices with the warranties mandated by other laws (such as the Uniform Commercial Code). These warranties assure both that a device is fit for its ordinary purposes and that is fit for the user’s disability related needs when the dealer is informed of those needs.

**Questions about Assistive Technology?
Call ATAP at 1-800-916-8324 [TECH] or 401-463-0202 (v/tty)
www.atap.ri.gov**

***Provisions of the Consumer Enforcement
of Assistive Technology Device Warranties Act
“Lemon Law”***

OBLIGATES manufacturers and dealers to make necessary repairs to assistive devices.

REQUIRES loaners

- a. immediately, if the absence of a loaner would be a threat to the user’s safety;
- b. after 7 days, if the device continues to be out of service.

PROVIDES remedies

- a. replacement of the device within 30 days; or
- b. refund within 14 days

If a reasonable number of attempts to repair the device are unsuccessful or the device is out of service for a total of 30 days within one calendar year.

PROHIBITS the resale or lease in Rhode Island of returned assistive technology devices unless full written disclosure is made to the buyer or lessor.